



**MINUTES  
BOARD OF NURSING  
FULL BOARD MEETING  
WEDNESDAY, OCTOBER 25, 2006**

**MEMBERS PRESENT:** SHARON PAPPAS, RN, PRESIDENT; VICTORIA BROERMAN, RN; PEGGY BUNKE, RN, NP; TONI GIBBONS, LPN; THOMAS KANAN, JD; JOHN KLEINHEKSEL, JD; JANET PUGLISI, RN; SANDRA SUMMERS, RN; BETTY WOLFE, LPN;

**PRESIDING:** SHARON PAPPAS, RN, PRESIDENT

**COUNSEL:** SUSAN PROSE, ASSISTANT ATTORNEY GENERAL

**STAFF:** MARK MERRILL, PROGRAM DIRECTOR

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**Convene and Role Call (9:03 A.M.)**

Sharon Pappas, RN, President called the meeting to order and welcomed all in attendance. Roll call was taken and all Board members were present except for Candace Berardinelli, RN, and Judy Burke, RN, NP, Vice President.

**Award to Janet Ferguson, RN, previous Board Member (9:05 A.M.)**

Sharon Pappas, RN, President made remarks about and presented a commemorative plaque to former Board member Janet Ferguson, RN, thanking her for six years of dedicated public service to the Board of Nursing, and the nursing community in Colorado. Janet Ferguson addressed the Board with her thanks.

**Program Director Remarks (9:11 A.M.)**

Mark Merrill, Program Director made remarks on new Board of Nursing staff members, Anne Austin and Charlene Douglas. Mark informed the Board on the staff project of reorganizing, purging, and archiving discipline files, and the recognition the successful completion of the project garnered amongst the Division of Registrations. Mark also informed the Board on the upcoming move of the Board of Nursing offices from the eight floor to the thirteenth floor, and asked for their approval for a few changes to the 2007 meeting calendar. The Board noted Mark's remarks and approved the changes to the 2007 meeting calendar.

**Board Elections (9:15 A.M.)**

Mark Merrill, Program Director, called for a vote of election to retain Sharon Pappas, RN and Judith Burke, RN, NP as President and Vice President respectively, for another term. The Board unanimously approved Sharon Pappas, RN, and Judith Burke, RN, NP, for another term as President and Vice President of the Board of Nursing which expires for both on July 1, 2009.

**Approval of Minutes (9:17 A.M.)**

A Motion was made, seconded, and carried to approve the August 23, 2006 Full Board meeting minutes.

### **Matters Relating to Unlicensed Persons (9:18 A.M.)**

I. Pamela Rose Kier, Unlicensed. After discussion, a Motion was made, seconded, and carried to dismiss the complaint against Ms. Kier.

II. Judy Larson, Unlicensed. The Board noted that this matter will be handled by the Jefferson County District Attorney's Office.

III. D'Ann Lynn Carnal, Certified Addiction Counselor posing as a nurse. After discussion, a Motion was made, seconded and carried to dismiss the complaint against Ms. Carnal.

### **Staff Reports (9:23 A.M.)**

#### **I. Request for Comment on Proposed Controlled Substances Rules**

Susan Miller, Director of the Healthcare Section presented a memorandum asking for the Board's approval to add them to a letter of support along with the State Board of Medical Examiners and the State Board of Pharmacy for the proposed DEA rule change. The Board unanimously agreed to allow Susan to add them to the letter of support.

#### **II. Licensed Psychiatric Technicians Working Group**

Mark Merrill, Program Director presented a memo asking for the Board's guidance on if they wish to reconvene the LPT working group to determine what changes need to be made to the Statute, Board Rules, or Board Policies regarding the Scope of Practice for the Licensed Psychiatric Technician in Colorado. After discussion, a Motion was made, seconded, and unanimously carried to reconvene the LPT working group to examine the Rules and Regulations relating to LPTs in Colorado.

#### **III. CNHP Follow-up from the August 23, 2006 Full Board Meeting**

The Board noted the memorandum presented by Mark Merrill, Program director of the outline summary of the CNHP presentation at the August 23, 2006 Full Board Meeting.

#### **IV. Administration of Insulin in the School Setting—Response Letter**

The Board reviewed a response for opinion letter to Kathleen Patrick, RN, Director, National Association of School Nurses from the August 23, 2006 Full Board meeting. Mark Merrill, Program Director informed the Board of two small language changes in the first paragraph of the letter. After discussion, a Motion was made, seconded and unanimously carried to accept the letter with the proposed changes, which was mailed to Ms. Patrick on October 26, 2006.

#### **V. Approval of Medication Aide Authority Test Specifications**

The Board reviewed a memorandum from Kathy Brown, Licensing manager, outlining the Education Subcommittee's proposed test specifications and curriculum for the new Medication Aide exam. After discussion, a Motion was made, seconded and unanimously carried to begin the next phase of Medication Aide testing based upon these test specifications and curriculum.

#### **VI. The use of "Nurse Intern" when related to the employment of nursing students**

The Board reviewed a memorandum from Linda Metzner, Practice Specialist and Daniel St. Laurent graduate student, which included position statements on the use of nurse interns in various states around the country. After discussion, a Motion was made, seconded and carried to draft a position statement from the Board modeled after the Delaware Board of Nursing position statement on nurse interns to be presented at the January 24, 2007 Full Board meeting.

### **Candidates for the Impaired Professional Diversion Committee (IPDC) (9:46 A.M.)**

The Board reviewed a memorandum from Mark Merrill, Program Director and applications of Mary Love and Kelly A. Heltzel-Strickland for open position on the IPDC. After discussion, a

Motion was made, seconded and carried to appoint Mary Love to the permanent position on the IPDC.

**Policy Changes (9:49 A.M.)**

I. Proposed Policy 30-3 *“Authorization to the Office of the Attorney General and the Board’s Program Director to accept a surrender of license after the initiation of an investigation of hearing”*

The Board reviewed the proposed policy drafted by Susan Miller, Director of the Healthcare Section and After discussion, a Motion was made, seconded and unanimously carried to approve the policy as drafted.

II. Proposed Policy for the Voluntary Withdrawal of Advanced Practice Registry, Prescriptive and LPN IV Authorities

The Board reviewed the proposed policy drafted by Linda Metzner, Practice Specialist, including language changes in the references section, and the first sentence of the policy. After discussion, a Motion was made, seconded and unanimously carried to approve the policy as amended.

III. Proposed changes to Policy 10-1 “Clarification of terms “graduate” and “program”

The Board reviewed the proposed changes to Policy 10-1 including language changes to the second paragraph and the first bulleted section. After discussion, a Motion was made, seconded and unanimously carried to approve the policy as amended.

**Recess (10:00 A.M.)**

The Board took a ten minute recess.

**Reconvene (10:12 A.M.)**

**Education Reports (10:12 A.M.)**

Phase I Applications:

I. National American University-ADN: After discussion, a Motion was made, seconded and unanimously carried to deny the application for Phase I approval due to insufficiencies in their application.

II. American College-LPN: After discussion, a Motion was made, seconded and unanimously carried to grant American College-LPN Phase I approval. The Board noted that should American College meet the application deadlines that their application for Phase II approval would be eligible for Board review at the January 24, 2007 Full Board meeting.

III. Workplace Language School of Nursing: After discussion, a Motion was made, seconded and unanimously carried to deny the request of to waive the Phase I application due to insufficiencies in their application and requirements to complete Phase I.

IV. Colorado Christian University—LPN to ADN: After discussion, a Motion was made, seconded and unanimously carried to grant Colorado Christian University approval to advance to Phase II application for approval of the PN to ADN program. The Board also notes Roberta Hills, Education Specialist’s recommendation that if Colorado Christian University wishes to open up a BSN program they need to submit a Phase I application for a BSN program in nursing.

### Phase II Applications:

I. Mesa State College-LPN: After discussion, a Motion was made, seconded and unanimously carried to approve Mesa State College for the PN program with the ability to admit students, implement the program, and allow graduates to take the licensing exam. The Board also noted Roberta Hills, Education Specialist will monitor the program through reports and site visits as specified in the Chapter II Rules and Board Policy 100-1.

### Other Education Items:

I. Denver School of Nursing-Site Visit and Phase IV Approval for the PN Program: After discussion, a Motion was made, seconded and unanimously carried to grant continued interim approval not to exceed 1 year for the PN program contingent upon the Denver School of Nursing revising the current PN curriculum to include psychiatric nursing theory and clinical by December 31, 2006. The Board also noted Roberta Hills, Education Specialist's recommendation that pending the HCL-NCA decision on eligibility, the Denver School of Nursing, at the end of one year, request a waiver on the interim approval of one year be extended up to four years so as to allow the school time to achieve candidacy status.

II. Aims Community College-ADN Revised Phase IV Application: After discussion, a Motion was made, seconded and unanimously carried to approve the request for a waiver on the qualification of a nursing license from Colorado for a faculty member that has an Ohio license and practices at a federal agency in Wyoming, Veteran's Administration. After discussion, a Motion was made, seconded and unanimously carried to grant full approval to Aims Community College ADN program.

III. San Juan Basin Technical College-LPN: Request for a waiver for the DNEP teaching experience: After discussion, a Motion was made, seconded and unanimously carried to grant the waiver with the conditions that the Vice President of the College agrees to establish a mentoring plan for the DNEP for one year.

IV. Delta Montrose Technical College-LPN: Request for a waiver for the DNEP teaching experience: After discussion, a Motion was made, seconded and unanimously carried to grant the waiver. The College agreed to continue their pre-established mentoring plan through the 06-07 academic year.

V. Grand Junction Regional Center LPT Curriculum Request: After discussion, a Motion was made, seconded and unanimously carried to deny the request for Grand Junction Regional Center Psychiatric Technician Program to include 'insulin injection' in their program's curriculum pending the LPT working group which the Board previously tasked with examining and developing recommendations for a more defined LPT scope of practice. The Board agreed to revisit this issue at a later date once the LPT working group presents its recommendations to the Board.

VI. NCLEX and Decision Making RE: Regulation: After discussion, a Motion was made, seconded and unanimously carried to approve Roberta Hills, Education Specialist's recommendations allowing:

1. Recommended interpretation of the NCLEX Pass Rates
  - a. Trends in the pass rates for each graduating class from each program over last 3 years or more years if desired by the Board
  - b. Educational programs will provide the Board dates of graduating classes on the Annual Report.

- c. Make the decision rule based on whether the trends falls below 75% any 2 graduating classes in a row.
- 2. Recommended sequence of action
  - a. First time pass rate falls below 75% letter of concern sent to DNEP and Governing body.
  - b. Pass rate below 75% 2 consecutive graduating classes, Letter requesting the program to conduct a self-study to identify problematic areas and create and implement a plan of action
  - c. BON monitor the plan of action and results, if subsequent pass rate reaches 75% problem is addressed.
  - d. If pass rate trend continues to be below 75% for the third graduating class, BON conducts a program site visit and recommends a plan of action. Based on the finding from the site visit, Board of Nursing determines program approval status.
  - e. BON monitors the plan of action.
  - f. If pass rate continues below 75%, program is placed on conditional approval. The number of students admitted to the program is limited with one year to get the pass rate above 75%.
  - g. If pass rates are not able to rise above 75% after one year on conditional approval, withdrawal of approval planned.

VII. Excelsior Site Visit-ADN Program in Albany, NY: After discussion, a Motion was made, seconded and carried to reject Roberta Hills, Education Specialist's recommendation to give Excelsior students eight hours of clinical credit for their clinical assessment completed at Excelsior's campus in Albany, NY. The Board noted that Graduates from Excelsior will need to meet the clinical requirements for license as identified in the Chapter I Rules on Licensure.

Miscellaneous Education Items:

- I. CCCS Common Course Curriculum for ADN Nursing Programs: The Board noted the memorandum and attachments from Roberta Hills, Education Specialist
- II. 2005 Annual Report for LPN and RN programs—graduates, students, and projected 2006 students. The Board noted the memorandum and statistical information provided by Roberta Hills, Education Specialist.

Other Education Programs:

- i. Front Range Nurse Aide Training Program-Colorado Springs 9/13/06: The Board ratified Interim Approval for Front Range Nurse Aide Training Program.
- ii. Colorado Council of Black Nurses CNA 8/31/06: The Board ratified Full Approval for Colorado Council of Black Nurses CNA program.
- iii. Stillwater Institute CNA-Lakewood 8/31/06: That Board ratified Continuing Approval for Stillwater Institute CNA program.
- iv. Trinidad State Junior College-Alamosa 9/5/06: The Board ratified Continuing Approval for Trinidad State Junior college CNA program.

v. Front Range Community College CNA Adult-Larimer-Loveland 9/7/06. The Board ratified Continuing Approval for Front Range Community College CNA Adult programs in Larimer and Loveland.

vi. Family Health West CNA-Fruita 9/14/06: The Board ratified Continuing Approval for Family Health West CNA program.

vii. Western Colorado Area Health Education Center-Grand Junction 9/14/06. The Board ratified Continuing Approval for Western Colorado Area Health Education Center CNA program.

viii. Boulder TEC CNA-Boulder 9/21/06: The Board ratified Continuing Approval for Boulder TEC CNA program.

ix. St. Luke's Ministry CNA-Denver 10/02/06: The Board ratified Continuing Approval for St. Luke's Ministry CNA program.

x. Cherrylyn Healthcare Center-Littleton 8/21/06. The Board ratified de-activation of Cherrylyn Healthcare Center CNA program.

xi. IHS at Parkmoor-Colorado Springs 8/29/06. The Board ratified de-activation of IHS at Parkmoor CNA program.

xii. Mariner Post Acute Network CNA-Colorado Springs 8/29/06. The Board ratified de-activation of Mariner Post Acute Network CNA program in Colorado Springs.

xiii. Mariner Post Acute Network Metro CNA-Denver 8/30/06. The Board ratified de-activation of Mariner Post Acute Network Metro CNA program in Denver.

xiv. Reach Your Goal-Canon City 10/2/06. The Board ratified de-activation of Reach Your Goal CNA program.

xv. Southeastern Colorado Health Education Center CNA-Pueblo 10/02/06. The Board ratified de-activation of Southeastern Colorado Health Education Center CNA program.

xvi. Spanish Peaks Regional Health—Colorado State Veterans Nursing Home-Walsenburg. The Board ratified revocation of Spanish Peaks Regional Health-Colorado Veterans Nursing Home per disapproval by the Colorado Department of Public Health and Environment re: 42 C.F.R. 483.151(e)(4)(i)(ii):

## **Chapter II Rules and Board Policy 100-1 (10:50 A.M.)**

At 10:55 A.M., a Motion was made, seconded and unanimously carried to enter into Executive Session pursuant to C.R.S. 24-6-402(3)(a)(III), et seq., based upon the Board's attorney client privilege and matters required to be kept confidential by law.

After a discussion, at 11:16 A.M., a Motion was made, seconded and unanimously carried to leave Executive Session and return to Open Session to take action on the matter.

An attestation for this Executive Session from Board counsel, Susan Prose, is on tape.

A Motion was made, seconded and carried, with Tom Kanan opposing, to initiate the rulemaking process and re-open the Chapter II "Rules and Regulations for Approval of Nursing Education Programs" during the January 24, 2007 Full Board meeting to incorporate Board Policy 100-1 "Development of Nursing Education Programs" into the Chapter II Rules.

## **Quarterly Case Statistics Report-Office of the Attorney General (11:16 A.M.)**

The Board noted a memorandum from Y.E. Scott, Assistant Attorney General with the quarterly case statistics from the Office of the Attorney General.

**Open Forum 11:17 A.M.**

I. Altaf Siddiqui—American College addressed the Board regarding matters relating to the approval process for American College's LPN program.

II. Mary Kontz and Dr. Barbara Seigal—CSU Pueblo addressed the Board regarding concerns about the eight quarters of 75% NCLEX pass rate requirement. The Board responded advising Ms. Kontz and Dr. Seigal to contact Roberta Hills, Education Specialist with their concerns.

There being no further business the Board adjourned the meeting at 11:28 A.M.

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Sharon Pappas, RN, President  
Colorado Board of Nursing